



House Bill No. 7101

June Special Session, Special Act No. 15-1

AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND AND AMENDING THE CHARTERS OF THE BOROUGH OF FENWICK AND THE GIANTS NECK BEACH ASSOCIATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the city of New Haven a parcel of land located in the city of New Haven, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 4.5 acres and is identified as the parcel of land located at 101 College Street, bounded by Church Street, Martin Luther King Jr. Boulevard, College Street and South Frontage Road, and further identified as a portion of the parcel on the map entitled "Connecticut Department of Transportation, Bureau of Highways, Right of Way Map, Town of New Haven, Oak Street Connector, From Howe Street Easterly to the Connecticut Turnpike, dated February 20, 1975, Map Number 92-10, Sheet No. 2 of 3." The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The city of New Haven shall use said parcel of land to be conveyed for economic development purposes. If the city of New

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Haven:

- (1) Does not use said parcel for said purposes;
- (2) Does not retain ownership of all of said parcel, except for a sale of said land for economic development purposes; or
- (3) Leases all or any portion of said parcel, except for a lease for economic development purposes,

the parcel shall revert to the state of Connecticut. Any funds received by the city of New Haven from a sale or lease of said parcel for economic development purposes shall be transferred to the State Treasurer for deposit in the Special Transportation Fund.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 2. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Education shall convey to the city of Stamford a parcel of land and any improvements upon said parcel located in the city of Stamford, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 6.6 acres and is identified as a portion of the 18.6-acre parcel located in Lot 3 Block 242 of Stamford Tax Assessor's Map 114 and contains the Cubeta Stadium. Said parcel is

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further identified as the parcel depicted on a map entitled "J.M. Wright Technical School, Stamford, Conn., Revised Location of Baseball Diamond and Bleachers, Drawing No. 156-506, dated May 15, 1958, prepared by Francis L. Mayer, Architect". The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The city of Stamford shall use said parcel of land and any improvement upon said parcel for recreational purposes. If the city of Stamford:

(1) Does not use said parcel or improvement for said purposes;

(2) Does not retain ownership of all of said parcel or improvement;
or

(3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.

(c) Said parcel and improvement shall be conveyed subject to an easement in favor of J.M. Wright Technical School, for the scheduling and use of Cubeta Stadium at the school's convenience for said school's athletic, ceremonial or scholastic events during the school year.

(d) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Education. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsections (b) and (c) of this section. The Commissioner of Education shall have the sole responsibility for all other incidents of such conveyance.

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Sec. 3. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of Farmington a portion of a parcel of land located in the town of Farmington, at a cost equal to the fair market value of the property, as determined by the average of the appraisals of two independent appraisers selected by the commissioner, plus the administrative costs of making such conveyance, after the commissioner determines that such portion is not necessary for highway purposes. Said parcel of land has an area of approximately 2.54 acres and the portion to be conveyed shall be equivalent to the portion the commissioner determines is not necessary for highway purposes. Said parcel is identified as a portion of the parcel shown on a map entitled "Compilation Plan; Town of Farmington; Map Showing Land Acquired from Parsons Properties, LLC by the State of Connecticut Department of Transportation; Safety and Traffic Operational Improvements on Route 4 (Farmington Ave.), March 2009", map number 5773 of the Farmington Land Records and is designated by the Department of Transportation as File No. 51-260. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) Said parcel of land shall be conveyed (1) subject to the existing defined sightline easement, easement to slope and non-access highway lines in favor of the state of Connecticut and a sewer easement in favor of Jose R. Gaztambide, and (2) with the right to use a strip of land of Jose R. Gaztambide for a sewer pipe.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver

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any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 4. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Energy and Environmental Protection shall convey to the city of New Haven the Fort Nathan Hale Park Pier located on the New Haven Harbor in the city of New Haven, at a cost equal to the administrative costs of making such conveyance. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The city of New Haven shall use said pier for recreational purposes. If the city of New Haven:

- (1) Does not use said pier for said purposes;
- (2) Does not retain ownership of all of said pier; or
- (3) Leases all or any portion of said pier,

the pier shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said pier not later than thirty days after it receives a proposed agreement from the Department of Energy and Environmental Protection. The pier shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Energy and Environmental Protection shall have the sole responsibility

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for all other incidents of such conveyance.

Sec. 5. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Military Department shall convey to the borough of Naugatuck a parcel of land located in the borough of Naugatuck and any improvements upon said parcel, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 3.5 acres and is identified as the National Guard Armory located at 607 Rubber Avenue, and is further described in a Warranty Deed dated November 30, 1949, recorded in Volume 104 at pages 322 to 323 of the Land Records of the Borough of Naugatuck. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The borough of Naugatuck shall use said parcel of land and improvements for educational, parking or recreational purposes. If the borough of Naugatuck:

(1) Does not use said parcel or improvements for said purposes;

(2) Does not retain ownership of all of said parcel or improvements;
or

(3) Leases all or any portion of said parcel or improvements,

the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land and improvements not later than thirty days after it receives a proposed agreement from the Military Department. The land and improvements shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include

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provisions to carry out the purposes of subsection (b) of this section. The Military Department shall have the sole responsibility for all other incidents of such conveyance.

Sec. 6. (*Effective from passage*) The state of Connecticut shall release all rights to a right-of-way easement over a parcel, as first recorded in a warranty deed dated April 8, 1940, in Volume 73 at page 515 of the town of Stafford Land Records and rerecorded in a warranty deed dated October 21, 1954, in Volume 92 at page 489 of said Land Records. The State Treasurer shall execute and deliver any instrument necessary to effect such release.

Sec. 7. Section 150 of public act 12-2 of the June special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Notwithstanding any provision of the general statutes, the Commissioner of Economic and Community Development shall convey to the city of New Britain a parcel of land located in the city of New Britain, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately .32 acre and is identified as Lot 71 on New Britain Tax Assessor's Map B7B, and is described in a warranty deed dated February 29, 1996, and recorded in Volume 1217 at page 438 of the city of New Britain Land Records. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The city of New Britain shall use said parcel of land for [community park] economic development purposes. If the city of New Britain:

(1) Does not use said parcel for said purposes;

(2) Does not retain ownership of all of said parcel, except for a sale for economic development purposes; or

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(3) Leases all or any portion of said parcel, except for a lease for economic development purposes,

the parcel shall revert to the state of Connecticut. Any sale or lease of said parcel in accordance with this section shall be for the fair market value of the property or lease of said property, as determined by the average of the appraisals of two independent appraisers selected by the commissioner. Any funds received by the city of New Britain from a sale or lease of said parcel for economic development purposes shall be transferred to the State Treasurer for deposit in the Special Transportation Fund.

(c) Said parcel of land shall be conveyed subject to an existing right of way of record referenced in the warranty deed described in subsection (a) of this section.

[(c)] (d) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Economic and Community Development. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of [subsection] subsections (b) and (c) of this section. The Commissioner of Economic and Community Development shall have the sole responsibility for all other incidents of such conveyance.

Sec. 8. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of New Milford a parcel of land located in the town of New Milford, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately .29 acre

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and is identified as the release area depicted in a map entitled "Compilation Plan, Town of New Milford, Map Showing Land Released to- By the State of Connecticut Department of Transportation, Danbury Road (U.S. Routes 7 & 202) at Sullivan Road, Scale 1:500, Thomas A. Harley, P.E., December 2014, Town No. 95, Project No. 95-219, Serial No. 24A, Sheet 1 of 1". The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of New Milford shall use said parcel of land for open space purposes. If the town of New Milford:

- (1) Does not use said parcel for said purposes;
- (2) Does not retain ownership of all of said parcel; or
- (3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 9. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, (1) the Commissioner of Emergency Services and Public Protection shall convey to the Department of Transportation eight parcels of land located in the town of East Hartford, and (2) the

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Commissioner of Transportation shall convey said eight parcels of land to the town of East Hartford, at a cost equal to the administrative costs of making such conveyance. The first parcel of land has an area of approximately 1.76 acres and is identified as Lot 6A on East Hartford Assessor's Map 24 and is located at 410 Roberts Street. The second parcel of land has an area of approximately .66 acre and is identified as Lot 6B on East Hartford Assessor's Map 24 and is located at 420 Roberts Street. The third parcel of land has an area of approximately .34 acre and is identified as Lot 6C on East Hartford Assessor's Map 24 and is located at 430 Roberts Street. The fourth parcel of land has an area of approximately 1.36 acres and is identified as Lot 6D on East Hartford Assessor's Map 24 and is located at 432 Roberts Street. The fifth parcel of land has an area of approximately .58 acre and is identified as Lot 6E on East Hartford Assessor's Map 24 and is located at 464 Roberts Street. The sixth parcel of land has an area of approximately 1.21 acres of land is identified as Lot 6F on East Hartford Assessor's Map 24 and is located at 470 Roberts Street. The seventh parcel of land has an area of approximately .03 acre and is identified as Lot 6G on East Hartford Assessor's Map 24 and is located at 478 Roberts Street. The eighth parcel of land has an area of approximately 4.04 acres of land and is identified as Lot 6H on East Hartford Assessor's Map 24 and is located at 480 Roberts Street. The conveyance of said parcels to the town of East Hartford shall be subject to the approval of the State Properties Review Board.

(b) The town of East Hartford shall use said parcels of land for economic development purposes. If the town of East Hartford:

- (1) Does not use any of said parcels for said purposes;
- (2) Does not retain ownership of any of said parcels other than a sale for economic development purposes; or
- (3) Leases all or any portion of any of said parcels other than a lease

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for economic development purposes,

the parcel at issue shall revert to the state of Connecticut. Any sale or lease of said parcels in accordance with this section shall be for the fair market value of the property or lease of said property, as determined by the average of the appraisals of two independent appraisers selected by the Commissioner of Transportation. Any funds received by the town of East Hartford from a sale or lease of said parcels in accordance with this section shall be transferred to the State Treasurer for deposit in the Special Transportation Fund.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcels of land to the town of East Hartford not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 10. Section 15 of special act 07-11, as amended by section 4 of public act 10-1 of the June special session, is amended to read as follows (*Effective from passage*):

(a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the Bridgeport Port Authority a parcel of land located in the city of Bridgeport, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 1.008 acres and is identified as a certain parcel of land situated in the city of Bridgeport, county of Fairfield, and state of Connecticut, being more particularly

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bounded and described as follows:

"Beginning at a point, said point being the southeast corner of the intersection of Seaview Avenue and the eastbound off-ramp of Interchange 29, Interstate 95;

Thence running southwesterly along land of the Bridgeport Port Authority, 620', more or less;

Thence running northerly along the easterly highway line of Stratford Avenue, along a curved line concave to the west, 370' more or less;

Thence running easterly along the southerly highway line of said eastbound off-ramp of Interchange 29, Interstate Route 95, 440' more or less."

The conveyance shall be subject to the approval of the State Properties Review Board.

(b) (1) The Bridgeport Port Authority shall use said parcel of land for economic development or waterfront related purposes and may sell or lease all or any portion of said parcel for economic development or waterfront related purposes. If the Bridgeport Port Authority:

(A) Does not use said parcel for said purposes; or

[(B) Does not retain ownership of all of said parcel; or]

[(C) Leases] (B) Sells or leases all or any portion of said parcel, except for a sale or lease of all or any portion of said parcel for economic development or waterfront related purposes, in accordance with the provisions of this subsection, the parcel shall revert to the state of Connecticut. Any sale or lease of said parcel in accordance with this section shall be for the fair market value of the property or lease of said property, as determined by the average of the appraisals

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of two independent appraisers selected by the commissioner. Any funds received by the Bridgeport Port Authority from a sale or lease of said parcel in accordance with this section shall be transferred to the State Treasurer for deposit in the Special Transportation Fund.

(2) Notwithstanding any provision of the general statutes, the Department of Transportation shall grant the Bridgeport Port Authority a right of way from Stratford Avenue, Connecticut Route 130, directly to and from said parcel, at a place to be determined by the department.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 11. Section 1 of number 271 of the special acts of 1899, as amended by section 11 of special act of 13-23, is amended to read as follows (*Effective from passage*):

That [all of] the electors [of this state, who own real estate located in and who have been domiciled for two months during the year last past in the town of Old Saybrook and within] described in section 2 of number 271 of the special acts of 1899, in relation to the territory included within the following limits, to wit: Bounded north by the South Cove, so called; east by Connecticut River; south by Long Island sound; and west by the east line of land of Daniel C. Spencer, said east

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line running about south from said South Cove to Long Island sound, the territory comprised within said boundaries being situated on the peninsula of Lynde's Point, and known as New Saybrook and so designated on a map thereof on file in the office of the town clerk of Old Saybrook; are hereby declared to be, and shall forever continue to be, a body politic and corporate within said town of Old Saybrook, by the name of the borough of Fenwick; and by that name they and their successors shall have perpetual succession, and shall be a person in law, capable of suing and being sued, pleading and being impleaded in all courts of whatsoever nature; and also of purchasing, holding, and conveying any estate, real or personal; and shall have a common seal and may change and alter the same at pleasure.

Sec. 12. Section 2 of number 271 of the special acts of 1899 is amended to read as follows (*Effective from passage*):

[All of the electors aforesaid, domiciled within said limits for two months during the year last past, and owners of real estate located within said limits, and all] Electors of the borough of Fenwick shall include (1) all electors of the town of Old Saybrook who actually reside within the limits of the said borough, [shall be freemen at the first election of officers under this act and for the year next ensuing; and every elector of this state who shall thereafter have been domiciled within the limits of said borough for a period of two months during any year and who shall have owned real estate located in said borough during said time shall be a freeman of said borough for the year during which he has so owned real estate and been so domiciled for two months and for the year ensuing and all electors of the town of Old Saybrook who actually reside within the limits of said borough shall also be freemen of said borough] (2) every citizen of the United States of the age of eighteen years or older who is liable to said borough for taxes assessed against such citizen on an assessment of not less than one thousand dollars on the last-completed grand list used in

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connection with the assessment of taxes by said borough, or who would be so liable if not entitled to a statutory exemption, (3) each beneficiary of a trust which is a holder of record of an interest in real property located within said borough who (A) has been a resident for at least two months during any calendar year in the borough, (B) is a citizen of the United States, and (C) is eighteen years of age or older, and (4) each member of a Connecticut limited liability company which is a holder of record of an interest in real property located within said borough who (A) has been a resident for at least two months during any calendar year in the borough, (B) is a citizen of the United States, and (C) is eighteen years of age or older. Any [freeman] elector of said borough who votes in [the] said borough under the provisions of [this act] number 271 of the special acts of 1899, but whose permanent residence is not within the limits of the town of Old Saybrook, may vote at all elections in any town in this state where he or she permanently resides, and the fact that any person is registered as [a voter] an elector in the borough of Fenwick shall not deprive him or her of the right to register and vote in any town in this state where he or she has a permanent residence.

Sec. 13. Section 3 of number 271 of the special acts of 1899, as amended by section 1 of number 256 of the special acts of 1943, section 1 of number 325 of the special acts of 1951 and number 28 of the special acts of 1957, is amended to read as follows (*Effective from passage*):

A meeting of the [legal voters] electors of said borough of Fenwick shall be held on the first Saturday of July in the year 1957, and biennially thereafter, for the election from their numbers by a plurality of votes of a warden, six burgesses, a clerk, a treasurer and a collector. All of said officers of said borough shall be sworn faithfully to perform the duties of their several offices, and shall hold office until the next meeting and until others shall be chosen and qualified in their stead. Notice of any meeting shall be signed by the warden or any three

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burgesses, and shall designate the time and place of such meeting, the officers to be elected, and other business to be transacted thereat; and such notice shall be posted at least five days before the date of such meeting on the public signpost in said borough.

Sec. 14. Section 8 of number 271 of the special acts of 1899, as amended by section 2 of the special acts of 1951, is amended to read as follows (*Effective from passage*):

The board of warden and burgesses shall hold its first regular meeting in each year within two weeks after the annual meeting, and thereafter meetings of said board may be called at any time by the warden or any four burgesses by leaving notice of such meeting with or at the usual place of domicile in said borough of the warden and each burgess, at least twenty-four hours before such special meeting or by sending such notice at least five days before any such meeting to any other mailing or electronic mailing address of the warden and each burgess designated by the warden or burgesses. A majority of the board of warden and burgesses shall constitute a quorum at any meeting. Each burgess shall have one vote, except as hereinafter provided, and a majority of the burgesses present and voting at any meeting shall be necessary to pass any act or resolution, except in the case of a tie vote, as hereinafter provided.

Sec. 15. Section 11 of number 271 of the special acts of 1899, as amended by section 3 of number 256 of the special acts of 1943, is amended to read as follows (*Effective from passage*):

The clerk shall be clerk of the borough and clerk of the board of warden and burgesses, and shall act as such at all meetings of the voters of said borough, and at all meetings of said board of warden and burgesses; and it shall be his duty to make and keep all the records of such meetings, and he shall be the custodian of all books, papers, and documents belonging to said borough and said warden and

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burgesses, except such books and documents as the treasurer shall be required to keep. All books, papers and documents so kept by the clerk shall be open to the inspection of any inhabitant of said borough at all reasonable times. He shall also post and serve all notices which may be required by the board of warden and burgesses, and shall perform such other clerical duty as may be required by said board or the voters of the borough, at any legal meeting. In the absence of the clerk, a clerk pro tempore may be appointed by the warden of the borough, and such clerk pro tempore, while acting as clerk, shall have all the powers and be subject to all of the duties of clerk; it shall also be the duty of the clerk, or in his absence the clerk pro tempore, to prepare a list of all the electors within the borough at the last preceding electors' meeting in said borough, forty-eight hours previous to the annual or any special meeting of the voters of the borough for the election of officers, to be used as a check list at such meeting; and no person shall vote at any such meeting unless his name shall be on such list; [, or unless his right to vote at such meeting shall have matured under section two, by a continuous domicile of two months within the limits of said borough;] and if such list cannot be prepared, then the list used at the last meeting of the voters of the borough for the election of officers shall, on the morning of the annual meeting, be revised by the wardens and any two burgesses, or in the absence or inability of the warden, by the clerk and any two burgesses, and be used until a certified list can be prepared. The name of any elector omitted from said list by clerical error [, and the name of any elector whose right to vote shall have matured under section two,] may be added on election day by the presiding officer.

Sec. 16. Section 1 of number 399 of the special acts of 1941, as amended by section 1 of number 278 of the special acts of 1947, is amended to read as follows (*Effective from passage*):

(a) The owners of a freehold interest in any land within the limits

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specified in section two of [this act] number 399 of the special acts of 1941, in the locality known as Giants Neck in the town of East Lyme, shall be, while they continue to be owners of such land, a body politic and corporate by the name of The Giants Neck Beach Association, hereinafter referred to as the "association", and by that name they and their successors shall be a corporation in law capable of suing and being sued and pleading and being impleaded in all courts, and shall be vested with and possess the powers hereinafter specified. [All persons who are over twenty-one years of age who own or who may own any land within said limits, while they continue to be owners of such land, and the legal spouses of such persons, shall be members of The Giants Neck Beach Association, hereinafter referred to as the "Association", and entitled to vote at any meeting of said association and shall be eligible to any office in said association.]

(b) Eligibility: Every individual, corporation, trust, partnership, limited liability company or other legal entity, who owns or who may hereafter become the owner of any land within said limits, while they continue to be owners of such land, shall automatically be a member of said association in the manner hereinafter provided. When the ownership of any land in the association is in the name of more than one individual, each co-owner shall be deemed a member of the association. When the ownership of any land is in the name of a corporation, trust, partnership, limited liability company or other legal entity, said entity may designate a member representative by notifying the association secretary of such designation in writing. Each member or member representative and his or her legal spouse shall be eligible for any office in said association, provided they are at least part-time residents of any land within the limits of the association.

(c) Voting Rights: Regardless of the form of ownership or the number of members who reside at a particular property, each property within the association shall have only one vote to cast in association

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matters. When the ownership of any land in the association is in the name of more than one individual, the co-owners shall be entitled to only one vote among them. If such co-owners disagree as to how the vote shall be cast, none of them shall vote. The association may accept the vote of any single co-owner as being the vote for a property, unless it has actual notice of a disagreement among the co-owners prior to the time of voting. The governing board and the association shall not be liable to any member or third party for accepting the vote of any owner or member representative designated as a member representative pursuant to this section.

(d) This section shall become operative on its approval by a majority vote of the qualified members of the association at a meeting thereof called and held for that purpose.

Sec. 17. Section 4 of number 399 of the special acts of 1941 is amended to read as follows (*Effective from passage*):

The first meeting of the members of said association shall be held not later than September 8, 1941, at such time and place within the limits of said association as the committee hereinafter named shall appoint in a notice warning such meeting, for the purpose of electing a governing board to consist of seven members of the association. Two of such members shall be elected for a term of one year, two of such members shall be elected for a term of two years and three of such members shall be elected for a term of three years, unless they or any of them shall sooner cease to be property owners within the limits of said association. At each annual meeting thereafter, the successors to the members of the governing board whose terms expire shall be elected for terms of [three] two years. Said governing board shall elect from among its members a president, one or more vice presidents and such other officers as are deemed necessary. Said board shall appoint a secretary and a treasurer and define their duties. Neither of such appointees shall, necessarily, be a member of the board and both

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positions may be held by one person. Annual meetings shall thereafter be held not later than September eighth, in each subsequent year at such time and place as the governing board shall direct and warn.

Sec. 18. Section 5 of number 399 of the special acts of 1941 is amended to read as follows (*Effective from passage*):

(a) Logan E. Page of New Britain, Francis C. Luce of Stafford Springs, A. R. Carpenter of Bloomfield, Bert W. Chapman and Samuel Ludlow, Jr., of West Hartford, Dr. Hugh F. Lena of New London, and Harold C. Alvord of Manchester, or a majority of them, shall have full power to warn the first meeting of the members of said association for the purpose of electing seven members to form a governing board, which warning shall be written or printed, signed by a majority of said board, and three copies at least posted in public places within the limits of said association, at least three days before such meeting; and any member of said committee may call such meeting to order and may lead the same to the choice of a moderator and clerk and to the election of a governing board. All subsequent meetings, annual or special, shall be warned by said governing board in the manner prescribed by it in rules or by-laws made by said board.

(b) The governing board may, at its discretion, identify in the call of any regular or special association meeting matters on which a member or a duly authorized representative of a member may vote by absentee ballot. In addition, the governing board, at its discretion, may conduct a vote of the association solely by absentee ballot, provided a meeting of the association has first been conducted to discuss the proposed vote. The types of matters for which absentee ballots may be used are (1) the annual operating budget of the association, (2) capital projects not exceeding fifteen thousand dollars, and (3) disposition of association assets. Voting by absentee ballot shall be conducted in the manner prescribed in the association bylaws.

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(c) Members of the governing board may participate in meetings through the use of conference telephone, videoconference or similar communications equipment if all members participating in the meeting are able to hear and identify each other, provided that a quorum is physically present at the noticed meeting location. Participation in a meeting through the use of conference telephone, videoconference or similar communications equipment shall constitute presence in person at such meeting, except for purposes of determining a quorum. Any member so participating shall identify himself or herself each time he or she speaks.

Sec. 19. Section 7 of number 399 of the special acts of 1941, as amended by section 1 of number 471 of the special acts of 1951, is amended to read as follows (*Effective from passage*):

Said association may purchase, acquire or own real estate or any interest therein, and the governing board may enact such by-laws and ordinances as may be incident to and necessary for the functioning of such governing board in carrying out the powers with which it is vested, to prescribe the salaries or compensations of all officers and employees of said association and for the following purposes: To regulate travel over the highways within the limits of the association when, in the opinion of said board, the free and unrestricted use of said highways may become dangerous or inconvenient; to protect by suitable means property within its limits from theft or injury; to appoint at its expense one or more special policemen or watchmen who shall have the powers and duties within its limits in relation to criminals and criminal offenses that constables have in towns, including the power to arrest for violation of any regulation or by-law of said association, or any law, and the judiciary shall punish for resistance to or obstruction of such special policemen or watchmen while in the proper performance of their official duties in the same manner as though they were duly constituted police officers of the

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town of East Lyme; to clean and improve any and all ditches; to care for beaches and water fronts; to keep the streets and all public places within the limits of said association quiet and free from noise; to regulate the parking of motor vehicles; to build, repair and improve highways, roads, sidewalks, piers, docks and breakwaters within the limits of said association; to require owners or lessors of land or buildings within the limits of said association to remove leaves and other inflammable material or obstructions from the highway adjacent to or in front of property owned, leased or occupied by them; to prevent the deposit upon the property within the limits of said association of any refuse, garbage or waste material of any kind which, in the opinion of said board, may endanger the public health or safety or which may become a nuisance; to remove garbage, filth, nightsoil, ashes and other refuse matter within said limits, and to authorize such persons as the board may designate to make entry on any private property within said limits for the purpose of taking and removing all filth, garbage, ashes, nightsoil or any other offensive matters; to establish building lines; to protect any property from danger by fire, including the regulation of the number of cottages and structures that may be erected or placed on a single building lot within said limits; to zone the area within the limits of said association, thereby regulating and restricting the height, number of stories, size of buildings, per cent of lot that may be occupied, the size of yards, courts and other open spaces, the location and use of buildings, structures and land for trade, industry, residence and other purposes, and establishing the boundaries of the districts for said purposes and providing penalties for violations of restrictions; to regulate the carrying on, within the limits of said association, of any business that will, in the opinion of said board, be prejudicial to public health or dangerous to or constitute an unreasonable annoyance to those living or owning property in the vicinity thereof, which regulations shall be uniform for each class or kind of buildings or structures, or class of business; to regulate peddling as provided for in towns under the general statutes; to

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restrict the right of entry on the property of said association except upon the highways and to promote the planting of trees and shrubbery and other work leading to the improvement of the general appearance of the community. Said association shall have exclusive charge and control of all roads within the limits and shown on the maps referred to in section two which are not under town or state control. Said governing board may fix a penalty for each violation of any such by-laws, ordinances or regulations [, of not more than twenty dollars for each offense,] and the penalties may be recovered in any action brought for the purpose in the name of The Giants Neck Beach Association before any court having jurisdiction, for the use and benefit of said association. No by-law or ordinance shall take effect until ten days after its passage nor until it shall have been posted on a signpost within the limits of the association, to be designated by the governing board, for at least seven days. A certificate of the secretary of said association of the posting of any by-laws or ordinance as provided herein shall be prima facie evidence of such posting. The association may acquire by lease or purchase any part or all of the property, real or personal, of The Giants Neck Land and Improvement Company.

Sec. 20. Section 8 of number 399 of the special acts of 1941, as amended by section 2 of number 278 of the special acts of 1947, section 2 of number 471 of the special acts of 1951 and number 173 of the special acts of 1959, is amended to read as follows (*Effective from passage*):

The territorial limits of said association shall constitute a separate taxing district within the town of East Lyme, and the secretary of the association shall, in the manner directed by the association or the governing board, make an assessment list of all the real estate within the limits of said association as shall appear by the assessment list of the town of East Lyme then last completed or next thereafter to be

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completed, and the list so prepared by the secretary shall correspond in description, amount and value of such real estate, with such town list. When real estate so entered in the town list shall be located partly within and partly without the limits of said association, and there shall be no distinct and separate value put by the assessors of the town upon the part lying within said association, the secretary of said association shall assess the part within said association upon the basis of the proportion which the part within the association shall bear to the whole tract or property so assessed, using his best judgment as to such value. When the title to any property shall have changed before the time of laying any tax, such property shall be listed by the secretary in the name of the person owning it at the time of the laying of such tax. Said secretary shall, within such time as may be limited by the governing board, return such list duly signed and sworn to by him, to the governing board of said association, which shall revise such list, and, if such board shall find that the same fails to correspond with the assessment list of the town of East Lyme, or if said board shall find that there are any errors in the proportional valuation of such parts of any piece of property partly within and partly without the association, said board shall correct the same and such list, when so revised shall be adopted by said board and shall then constitute the assessment list for the association. Any person aggrieved by the doings of the secretary of said board or said board in preparing such list, shall have the right of appeal [to the court of common pleas] as is provided by the general statutes for appeals from boards of tax review. [to the court of common pleas.] Said board of governors shall prepare and submit to said association, at each annual meeting, a budget and recommend a tax for the purpose of and based on such budget and the assessment list of the association then last completed or next thereafter to be completed, which budget and tax rate shall be posted on the signpost of said association not less than five days before such annual meeting. Said association, at any meeting, shall have the power to increase or decrease such budget and rate of taxation so recommended by said

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board of governors. The rate of taxation so recommended by said board of governors shall be final unless increased or decreased by the association at such annual meeting or at any special meeting of the association called for the purpose. In the event a budget and tax rate are not adopted by the association at the annual meeting, necessary expenditures shall be made and the tax rate shall be set in the manner specified in sections 7-405 and 12-123 of the general statutes, until a budget and tax rate are approved by the association at a special meeting or until a budget and tax rate are adopted at the next annual meeting. The rate of taxation of the association shall not exceed eight mills on the dollar. The tax so laid shall be collected by the treasurer or by any collector specially appointed by the governing board for the purpose, and a rate book shall be prepared and signed by the secretary of said board within such time and in such manner as may be directed by said board, and warrants shall be issued for the collection of money due on such rate bill pursuant to the provisions of [section 1813 of] the general statutes. In addition to the assessment specified in this section, the governing board may, upon approval of the association voting at a regular or special meeting duly warned, enact special assessments to fund capital projects. The amount of any such special assessment may be made on any basis that is recommended by the governing board as necessary and proper, given the nature of the project for which the assessment is being made, provided such amount has been approved by the association at a regular or special meeting duly warned. Said association shall have the power to determine all other matters pertaining to the levy or collection of taxes and special assessments within the territorial limits of the association. Written notice of the rate of any tax and the amount thereof, or of the assessment apportioned to each member of the association, shall be sent by the treasurer or collector to each member of the association before July first in each year, on which date such tax shall be due and payable and in the manner stated therein, and, if such tax shall not be paid when due, it shall bear interest at the rate of nine per cent per annum. The treasurer

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or other collector shall have all the powers of collectors of town taxes and shall be accountable to the governing board in the same manner as town collectors are accountable to selectmen. Such tax or assessment shall be a lien upon the property upon which it shall be laid and may be collected by suit in the name of the association by foreclosure of such lien or in such manner as town taxes may be collected. Such lien may be continued by certificate which shall be recorded in the land records of the town or towns in which it is located, pursuant to the provisions of the general statutes relating to the continuance of tax liens.

Sec. 21. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Energy and Environmental Protection shall lease to the current lessee a parcel of land located in the town of Cornwall. The administrative costs of such lease shall be the responsibility of the lessee. Said parcel of land is known as the Mohawk Mountain Ski Area and is further described in the current lease dated February 3, 1986. Such lease shall contain terms deemed appropriate by the commissioner and shall be for a term not to exceed thirty years and authorize the use of such premises for public recreation as a commercial ski area and other recreational activities deemed appropriate by the Department of Energy and Environmental Protection in substantially the same manner as authorized under the current lease and with the same percentage of compensation to the state. The current lessee may continue to operate Mohawk Mountain Ski Area under the terms and conditions of the current lease until such new lease is executed, but in no case later than December 31, 2016. Such lease shall be subject to the approval of the State Properties Review Board.

(b) The State Properties Review Board shall complete its review of the lease of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Energy and

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Environmental Protection. The State Treasurer shall execute and deliver any instrument necessary for a lease under this section. The Commissioner of Energy and Environmental Protection shall have the sole responsibility for all other incidents of such lease.

Sec. 22. Section 4 of public act 09-04 of the September special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Notwithstanding any provision of the general statutes, the Commissioner of Energy and Environmental Protection, not later than one hundred twenty days after the effective date of this section, shall lease to the town of Ridgefield, for the sum of one dollar per year and a term of ten years, a parcel of land located in the town of Ridgefield. Said parcel of land has an area of approximately 2.146 acres and is identified as 424 Ethan Allen Highway. The lease shall be subject to the approval of the State Properties Review Board.

(b) The town of Ridgefield shall use said parcel of land for recreational purposes. If the town of Ridgefield:

- (1) Does not use said parcel for said purposes; or
- (2) Leases all or any portion of said parcel,

the lease shall terminate and the parcel shall revert to the state of Connecticut. The Department of Energy and Environmental Protection shall provide the town of Ridgefield with not less than a two-year notice, within such ten-year period, prior to any change in the terms of such lease.

(c) The State Properties Review Board shall complete its review of the lease of said parcel of land and any extension of such lease not later than thirty days after it receives a proposed agreement from the Department of Energy and Environmental Protection. The land shall

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remain under the care and control of said department until a lease is made in accordance with the provisions of this section. The Commissioner of Energy and Environmental Protection shall have the sole responsibility for all other incidents of such lease.

(d) Notwithstanding any provision of the general statutes, the Commissioner of Energy and Environmental Protection, not later than one hundred twenty days after the effective date of this section, shall extend the lease referenced in subsection (a) of this section for a term of twenty years from the time of extension, under the same terms and conditions as the original lease.

Sec. 23. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to Building and Land Technology, Inc. a parcel of land located in the city of Norwalk, at a cost equal to the fair market value of said parcel plus the administrative costs of making such conveyance. Said parcel of land has an area of not more than 6.8 acres and is identified as a portion of that property depicted on a map entitled "Compilation Map Depicting Land of the State of Connecticut, Glover Avenue, Norwalk, CT, Scale 1"=80', January 17, 2008, prepared by Redniss & Mead". The Department of Transportation shall determine the final size and description of said parcel to be conveyed. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

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Sec. 24. Section 3 of special act 14-23 is repealed. (*Effective from passage*)

Approved July 6, 2015